



DOCKET NO. CDS-226

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Thomas J. Cummins et al.

Serial No.: 09/675,828

Art Unit: 1637

Filed : September 29, 2000

Examiner: Teresa E. Strzelecka

For : Diagnostic Compositions, Elements, Methods and Test Kits
For Amplification and Detection of Two or More DNA's Using
Primers Having Matched Melting Temperatures

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

AUG 29 2003

TECH CENTER 1600/2900

TERMINAL DISCLAIMER

Dear Sir:

Your Petitioner, Ortho-Clinical Diagnostics, Inc., a corporation of the State of New York, having a registered office at 100 Indigo Creek Drive, Rochester, New York 14626-5101, represents that it is the Assignee of the entire right, title and interest in and to the subject matter disclosed in the above-captioned patent application by virtue of its being a division of U.S. Patent Application Serial No. 08/062,023, filed May 14, 1993. Aforementioned U.S. Patent Application Serial No. 09/675,828, filed September 29, 2000 is a continuation of U.S. Patent Application Serial No. 08/062,023 filed May 14, 1993, now issued as U.S. Patent 6,174,668.

Your Petitioner, Ortho-Clinical Diagnostics, Inc. hereby disclaims, under the provisions of 35 USC 253 and 37 CFR 1.321 and 3.73, the terminal part of any patent granted on application Serial No. 09/675,828 which would extend beyond the expiration date of United States Patent No. 6,174,668 and hereby agrees that any patent so granted on application Serial No. 09/675,828 shall be enforceable only for and during such period that the legal title of said patent shall be the same

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as the legal title to United States Patent No. 6,174,668, this agreement to run with any patent granted on application Serial No. 09/675,828 and to be binding upon the grantee, its successors or assigns.

The Terminal Disclaimer fee of \$110.00 and any additional fees which may be owed in connection with the filing of this Terminal Disclaimer can be charged to Johnson & Johnson Deposit Account No. 10-0750/CDS-226/CKG. Three copies of this sheet are enclosed.

Signed at New Brunswick, New Jersey this *21st* day of *August*,
2003

Respectfully submitted,

Ortho-Clinical Diagnostics, Inc.

A handwritten signature in black ink, appearing to read "Michael Stark", written in a cursive style.

Michael Stark
Assistant Secretary

Johnson & Johnson
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